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UNITHERM FOOD SYSTEMS, INC. 1108 WEST HARTFORD AVE. PONCA CITY, OKLAHOMA 74601

TELEPHONE: 580-762-0197

FAX: 580-762-0199

E-MAIL: unitherm@unithermfoodsystems.com



August 20, 1998

Mr. Jeffrey Craft PRETTY, SCHROEDER & POPLAWSKI 444 South Flower St., 19th Floor Los Angeles, CA 90071-2909 Via Fax # 213-489-4210

Dear Sirs:

I offer the following so that there can be no confusion over the issue of Unitherm trade secrets.

Unitherm introduced an in-line smoking and roasting system to Armour Swift-Eckrich beginning in 1995 when we at Unitherm agreed to install an oven for evaluation of the process. At that time it was agreed with President Arni Mickelberg and Vice President Ted Berry that if the process produced the promised results, orders would be placed. Indeed, an order was to be placed, on information supplied by J. B. Weatherspoon, head of Research and Development at the time. The order, however, never

Armour Swift-Eckrich then re-visited Unitherm in February of 1998. At this time, they were shown

- A) In-Line Bag Stripper
- B) In-Line Purge Removal
- C) In-Line Smoke Applicator for Turkey Loaves
- D) Auto Indexer
- E) In-Line Continuous Convection Oven

Unitherm's position is that if Armour Swift-Eckrich uses any of the process technology learned at Unitherm then they would be in breach of their agreement. At the time of testing in 1995 and in 1998, Armour Swift-Eckrich was not using any of these in-line processes. However, it has become apparent that Armour Swift-Eckrich has selected an alternative supplier to Unitherm, having first gained the knowledge of the process from Unitherm. We have been told that we were disqualified from supplying because of a pre-existing relationship with a larger machinery supplier.

Visit our web site at www.unithermfoodsystems.com



U-04728

Would you acknowledge that the above events indeed have occurred? And would you accept that Armour Swift Eckrich should not pursue in-line smoking in the format of the processes introduced to Armour Swift-Eckrich by Unitherm?

Yours sincerely,

David Howard

President

DH900P5P

U-04729

Visit our web site at www.unithermfoodsystems.com

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3:54F4 :

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PATENTS, TRADEMARKS, COPYRIGHTS AND RELATED LITIDATION

ENERGE CONTENTS

ORDER CONTENT

February 12, 1998

VIA FACSIMILE

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Richard Rosenthal Rosenthal and Associates, Inc. 2680 Pacer Lane San Jose, CA 95111

Dear Mr. Rosenthal:

This firm represents Armour Swift Eckrich.

Our client has disclosed to you certain confidential and proprietary information relating to the browning of meat by using a combination of light and a browning agent, specifically Maillose and equivalents. Armour Swift Eckrich expects that you will fulfill your obligations to retain this information in confidence, that you will not disclose it publicly and that you will not disclose it to specific third parties including competitors of Armour Swift Eckrich.

It is our further understanding that you have indicated that you have filed a patent application based on the above information, which was disclosed to you by Mr. Prem Singh of Armour Swift Eckrich. We demand, in behalf of our client that any such patent application that you might have filed be withdrawn.

To put this matter to rest, we request that you immediately forward to us your assurances that you will respect your obligations of confidentiality and that no patent applications of the above nature remain pending.

Very truly yours,

Robert A somoeder

CONFIDENTIAL -Attorneys Only

CRPF04672

RAS/dl

DEPOSITION EXHIBIT

UNITHERM FOOD SYSTEMS, INC. 1108 WEST HARTFORD AVE. PONCA CITY, OKLAHOMA 74601 TELEPHONE: 580-762-0197

FAX: 580-762-0199

E-MAIL: unitherm@unithermfoodsystems.com



June 1, 1998

Mr. Roy Cantou ARMOUR SWIFT-ECKRICH

Via Fax # 630-512-1164

Dear Roy:

As you are aware, we had been working for several years to convince Armour Swift-Eckrich to purchase the in-line browning and smoking process. We have lobbied at every level of the business to encourage Armour Swift-Eckrich to take advantage of this technology. In our efforts, we have worked with your research and development people, showing the process and discussing further applications and further innovations.

It seems now, at the last hurdle, we have failed to secure the order. Of course, this is disappointing. My real concern is how we pre-qualify as a supplier, prior to introducing new technology to Armour Swift Eckrich. Both Prem Singh and Chris Salm had interest in other processes at UNITHERM. It seems wrong for both companies to waste resources if there exists a pre-condition to qualify as a supplier which we cannot meet.

We had accrued some \$40,000 worth of time and expenses proving the above project. Would you do me the courtesy of advising us of the hurdles we need to overcome?

God bless.

David Howard President

DH47DRC

Visit our web site at www.unithermfoodsystems.com



U-04719